



King County

King County Board of Ethics

Department of Executive Services

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Date: April 16, 2010

To: King County Executive Dow Constantine
Metropolitan King County Council Chair Bob Ferguson
Members of the Metropolitan King County Council
Separately Elected Officials
Ombudsman—Director of the Office of Citizen Complaints
Department Directors of King County
King County Board of Ethics

From: Catherine A. Clemens, Executive Director

Re: **Final Report—2010 Financial and Other Interests Disclosure Program**

Summary

The King County Board of Ethics is authorized under K.C.C. 3.04.050 to conduct an annual program that requires elected officials, affected county employees, and affected board and commission members to file statements of financial and other interests. The purpose of this program is to ensure the public's trust in government by disclosing any conflicts between our personal and financial interests and our service to King County residents, and to educate county employees on situations of potential conflict. This report reflects filing compliance as of the statutory deadline of April 15, 2010.

Filing compliance as of April 15, 2010, 4:30 p.m.

Employees and Elected Officials		
Total number of employees required to file:		2,955
Percentage in compliance:		99.8%
Number of employees not filed:		6

Board and Commission Members		
Total number of members required to file:		512
Percentage in compliance:		98.4%
Number of members not filed:		8

Overall Compliance		
Total number of individuals required to file:		3,467
Percentage in compliance:		99.6%
Number of individuals not filed:		14

THE FOLLOWING REPORT provides details of the 2010 disclosure program, including information on training and education; policies and procedures for document review, notification, reminders and reports; and recommendations for improvements to the program.

The Program

Chapter 3.04 of the King County Code requires annual disclosure of financial and other interests by April 15th. The intent is to educate employees and identify situations in which there may be a potential for conflict between the exercise of official responsibilities on behalf of King County and private interests. County law requires annual financial disclosure by elected county officials; employees appointed by the county executive; and employees appointed by the county administrative officer or department directors and who are subject to the approval of the county executive. In addition, under K.C.C. 3.04.050, the Board of Ethics has determined other categories of employees who are required to file, including but not limited to, certain members of boards, commissions, committees and other multi-member bodies; employees whose duties include grant and contract management authority; and those who invest, manage or authorize the expenditure of county funds.

Training and Education

In order to encourage greater understanding of the program and increase compliance with its requirements, the executive director offered orientations in January for department coordinators and staff liaisons assigned to boards and commissions. Regardless of attendance at orientation sessions, all coordinators and liaisons received an overview of the program, a timeline of important dates, a list of categories identifying who must file, and a sample form. The ethics office also included a list of ideas to increase timely compliance and an information sheet appropriate for copying and distribution to affected filers. Finally, current 'fillable' forms may be found on the ethics Web site for easy access and completion. Forms were redesigned in 2010 to save paper, reducing the possible number of pages required to be filed from six to one.

Notification, Reminders and Reports

On December 9, 2009, the executive director communicated directly with department leaders to request names of designated staff responsible for coordinating employee and board and commission filing. Beginning in early January and continuing through April 13, ethics staff provided timely notices, reminders, and comprehensive reports on compliance to those employees designated by department directors to implement the program. Between March 2 and April 13, coordinators and staff liaisons received weekly status reports. On March 17, four weeks prior to the filing deadline, the executive director reported progress to the County Executive, County Council Chair, separately elected officials, and department directors and their deputies. Reports included a county-wide overview of filing compliance for all department employees and the board and commission members within those departments.

Review and Audit Process

To ensure consistency and accuracy, the executive director reviewed and audited all forms systematically. Upon receipt, ethics staff date-and-time-stamped all forms. Following individual review, incomplete forms or forms requiring clarifying information were either immediately returned directly to the individual together with an explanatory note or resolved through email inquiries. Staff then filed all approved forms in a secure location; all forms from the previous year were transferred to the county records retention center. Retained forms may only be retrieved by authorized ethics personnel and are kept for six (6) years after which time the forms are destroyed.

Compliance Rates

As of the April 15 deadline, 4:30 p.m., county-wide compliance was 99.6%. Of those individuals not in compliance, six (6) employees and eight (8) board and commission members had not filed as required under the ethics code. A detailed list of non-compliant filers is attached to this report.

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Penalties

Affected employees who fail to comply with the requirement of K.C.C. 3.04.050 are in violation of the King County Code of Ethics and subject to penalties provided in K.C.C. 3.04.060, including disciplinary action, up to and including termination from employment. Under the same code provision, members of boards and commissions who fail to comply with this requirement shall be subject to immediate removal from such appointments by their appointing authority. Outstanding disclosure statements may be filed at any time with the ethics office.

Board of Ethics Action

Under the penalties provision detailed above, on April 16 the Board of Ethics issued a show cause letter to those who had not yet filed, asking the individual to file the required

statement or to provide the county with written justification as to why they do not have to comply with the disclosure requirement no later than April 30, 2010.

Recommendations

The role of leadership has a significantly impact in ensuring compliance with the disclosure program. Each year, filing compliance increases when department directors and deputy directors take active involvement. County leaders positively and measurably influence compliance when they communicate the program's importance and their expectation of full cooperation.

Filing by board and commission members also has achieved a high compliance rate. However, it is recommended that directors continue to communicate with these citizen volunteers throughout the disclosure period to ensure that members understand the importance of the filing requirement and that they comply with the law. It is also recommended that staff liaisons, with the support of department coordinators, begin working in January to ensure that volunteer citizens have adequate time to respond and comply with the disclosure requirement.

Timely filing results not only in the desired legal compliance, but also in program efficiencies and cost savings to the county.

Appreciation

On behalf of the Board of Ethics, executive director and staff, we thank county leaders and the employees designated to coordinate the program within their departments. We seek improvements in the program each year and welcome your comments.

**2010 Financial Disclosure Program
Non-Compliance Roster*
April 15, 2010 @ 4:30 pm**

King County Employees

	Last Name	First Name	Title	Department
1	Hughes	Mitchell	Legal Admin. Spec. II	Judicial Administration
2	Davison	Eric	Capital Project Manager III	Natural Resources and Parks
3	Fjarlie	John	Construction Management IV	Natural Resources and Parks
4	Marth	Steven	Paramedic	Public Health
5	Laborde	Gerold C.	Operations Chief	Transportation
6	Strauss-Waller	Maida	LAN Administrator-Journey	Transportation

Members of King County Boards, Commissions, Committees and Other Multimember Bodies

	Last Name	First Name	Board Membership	Department
1	Elias-Garcia	Dorry	Regional Human Services Levy Oversight Board	Community & Human Services
2	Gunno	Stanley	Veterans Citizen Levy Oversight Board	Community & Human Services
3	Hamilton	Shannon	Emergency Management	Executive Services
4	Myers	Todd	Conservation Futures Oversight Committee	Natural Resources & Parks
5	Cooke	Suzette	Regional Transit Task Force	Transportation
6	Eggen	Chris	Regional Transit Task Force	Transportation
7	Gerken	Noel	Regional Transit Task Force	Transportation
8	Warman	Liz	Regional Transit Task Force	Transportation

*The individuals listed on the above rosters have been identified to the Board of Ethics by King County departments as affected employees or board or commission members who are required to file statements of financial of other interests; these individuals have not filed the required statement as of the filing deadline, April 15, 2010, 4:30 p.m. All departments and coordinating staff have received weekly reports on compliance; department directors received a mid-program report on March 17. The Board of Ethics sent show cause letters to all non-compliant individuals on April 16 requesting them to file by April 30 or show cause why they believe they should not have to file.